

REMARKS/ARGUMENTS

The Examiner is thanked for the Office Action mailed January 21, 2009. The status of the application is as follows:

- Claims 1-11 and 21-29 are pending, claims 1 and 2 have been amended, and claims 21-29 have been newly added;
- Claims 1-3 and 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen (US 5,778,880); and
- Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Chen or 35 U.S.C. 103(a) as being obvious over Chen; and
- Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen.

The objections and rejections are discussed below.

Claim Informalities

Claim 2 has been amended for informalities and not to address issues of patentability.

The Rejection of Claims 1-3 and 6-10 under 35 U.S.C. 102(b)

Claims 1-3 and 6-10 stand rejected under 35 U.S.C. 102(b) as being anticipated by Chen. Original independent **claim 1** is directed to a wearable system for enabling a bioelectrical interaction with an individual when being brought into contact with the individual's skin. The system comprises an electronic device arranged to be mounted on a carrier, the electronic device comprising electrodes arranged to carry out the interaction, wherein the electrodes are suitably shaped to enable a fixation of the electrodes on the carrier and at least a portion of each electrode extends through the carrier for facilitating the fixation of the electrodes on the carrier, the carrier being provided with receiving portions arranged to accommodate the electrodes. Claim 1 now also recites that the carrier has **a first side and a second side**, and at least a portion of each electrode extends through the carrier **from the first side to the second side** for facilitating the fixation of the electrodes on the carrier. The emphasized claim aspects are not taught or suggested by the cited reference. The cited reference teaches embedding a portion of an electrode in a portion of a carrier. Accordingly, this rejection should be withdrawn.

Application No. 10/534,479
Amdt. Dated: March 31, 2009
Reply to Office Action Dated: January 21, 2009

Claims 2, 3 and 6-10 directly or indirectly depend from independent claim 1 and are allowable at least by virtue of their dependencies.

The Rejection of Claim 5 under 35 U.S.C. 102(b) or 35 U.S.C. 103(a)

Claim 5 stands rejected under 35 U.S.C. 102(b) as being anticipated by Chen or 35 U.S.C. 103(a) as being obvious over Chen. **Claim 5** depends from claim 1 and is allowable at least by virtue of this dependency.

The Rejection of Claims 4 and 11 under 35 U.S.C. 103(a)

Claims 4 and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chen. Claims 4 and 11 directly or indirectly depend from claim 1 and are allowable at least by virtue of their dependencies.

New Claims 21-29

Newly added claims 21-29 emphasize various aspects. No new matter has been added. The aspects in these claims are absent from the art of record relied upon by the Office. Entry and allowance of claims 21-29 is respectfully requested.

Application No. 10/534,479

Amdt. Dated: March 31, 2009

Reply to Office Action Dated: January 21, 2009

Conclusion

An early indication of allowability is earnestly solicited.

Respectfully submitted,

Michael J. Corrigan

Michael J. Corrigan, Reg. No. 42,440
Driggs, Hogg, Daugherty & Del Zoppo Co., L.P.A.
38500 Chardon Road
Willoughby Hills, Ohio 44094
Phone: 1.440.391.5100
Fax: 1.440.391.5101

Direct all correspondence to:

Philips Intellectual Property & Standards
Customer Number 24737